

## Environmental Protection Agency

## § 1037.820

CO carbon monoxide.  
CO<sub>2</sub> carbon dioxide.  
CREE carbon-related exhaust emissions.  
DOT Department of Transportation.  
EPA Environmental Protection Agency.  
ETW equivalent test weight.  
FEL Family Emission Limit.  
g grams.  
GAWR gross axle weight rating.  
GCWR gross combination weight rating.  
GVWR gross vehicle weight rating.  
GWP global-warming potential.  
HC hydrocarbon.  
ISO International Organization for Standardization.  
kg kilograms.  
m meter.  
mm millimeter.  
mph miles per hour.  
N<sub>2</sub>O nitrous oxide.  
NARA National Archives and Records Administration.  
NHTSA National Highway Transportation Safety Administration.  
NO<sub>x</sub> oxides of nitrogen (NO and NO<sub>2</sub>).  
PM particulate matter.  
PTO power take-off.  
RESS rechargeable energy storage system.  
RPM revolutions per minute.  
SAE Society of Automotive Engineers.  
SKU Stock-keeping unit.  
TRRL Tire rolling resistance level.  
U.S.C. United States Code.  
VSL vehicle speed limiter.  
WF work factor.

### § 1037.810 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Environmental Protection Agency must publish a notice of the change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at U.S. EPA, Air and Radiation Docket and Information Center, 1301 Constitution Ave., NW., Room B102, EPA West Building, Washington, DC 20460, (202) 202-1744, and is available from the sources listed below. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(b) International Organization for Standardization, Case Postale 56, CH-1211 Geneva 20, Switzerland, (41) 22749 0111, <http://www.iso.org>, or [central@iso.org](mailto:central@iso.org).

(1) ISO 28580:2009(E) “Passenger car, truck and bus tyres—Methods of measuring rolling resistance—Single point test and correlation of measurement results”, First Edition, July 1, 2009; IBR approved for § 1037.520(c).

(2) [Reserved]

(c) U.S. EPA, Office of Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, <http://www.epa.gov>:

(1) GEM simulation tool, Version 2.0, August 2011; IBR approved for § 1037.520. The computer code for this model is available as noted in paragraph (a) of this section. A working version of this software is also available for download at <http://www.epa.gov/otaq/climate/gem.htm>.

(2) [Reserved]

(d) Society of Automotive Engineers, 400 Commonwealth Dr., Warrendale, PA 15096-0001, (877) 606-7323 (U.S. and Canada) or (724) 776-4970 (outside the U.S. and Canada), <http://www.sae.org>.

(1) SAE J1252, SAE Wind Tunnel Test Procedure for Trucks and Buses, Revised July 1981, IBR approved for § 1037.521(d), (e), and (f).

(2) SAE J1594, Vehicle Aerodynamics Terminology, Revised July 2010, IBR approved for § 1037.521(d).

(3) SAE J2071, Aerodynamic Testing of Road Vehicles—Open Throat Wind Tunnel Adjustment, Revised June 1994, IBR approved for § 1037.521(d).

### § 1037.815 Confidential information.

The provisions of 40 CFR 1068.10 apply for information you consider confidential.

### § 1037.820 Requesting a hearing.

(a) You may request a hearing under certain circumstances, as described elsewhere in this part. To do this, you must file a written request, including a description of your objection and any supporting data, within 30 days after we make a decision.

(b) For a hearing you request under the provisions of this part, we will approve your request if we find that your request raises a substantial factual issue.

## § 1037.825

(c) If we agree to hold a hearing, we will use the procedures specified in 40 CFR part 1068, subpart G.

### § 1037.825 Reporting and record-keeping requirements.

(a) This part includes various requirements to submit and record data or other information. Unless we specify otherwise, store required records in any format and on any media and keep them readily available for eight years after you send an associated application for certification, or eight years after you generate the data if they do not support an application for certification. You may not rely on anyone else to meet recordkeeping requirements on your behalf unless we specifically authorize it. We may review these records at any time. You must promptly send us organized, written records in English if we ask for them. We may require you to submit written records in an electronic format.

(b) The regulations in §1037.255 and 40 CFR 1068.25 and 1068.101 describe your obligation to report truthful and complete information. This includes information not related to certification. Failing to properly report information and keep the records we specify violates 40 CFR 1068.101(a)(2), which may involve civil or criminal penalties.

(c) Send all reports and requests for approval to the Designated Compliance Officer (see §1037.801).

(d) Any written information we require you to send to or receive from another company is deemed to be a required record under this section. Such records are also deemed to be submissions to EPA. Keep these records for eight years unless the regulations specify a different period. We may require you to send us these records whether or not you are a certificate holder.

(e) Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget approves the reporting and recordkeeping specified in the applicable regulations. The following items illustrate the kind of reporting and recordkeeping we require for vehicles regulated under this part:

(1) We specify the following requirements related to vehicle certification in this part 1037:

## 40 CFR Ch. I (7–1–12 Edition)

(i) In subpart C of this part we identify a wide range of information required to certify vehicles.

(ii) In subpart G of this part we identify several reporting and recordkeeping items for making demonstrations and getting approval related to various special compliance provisions.

(iii) In §1037.725, 1037.730, and 1037.735 we specify certain records related to averaging, banking, and trading.

(2) We specify the following requirements related to testing in 40 CFR part 1066:

(i) In 40 CFR 1065.2 we give an overview of principles for reporting information.

(ii) In 40 CFR 1065.10 and 1065.12 we specify information needs for establishing various changes to published test procedures.

(iii) In 40 CFR 1065.25 we establish basic guidelines for storing test information.

(iv) In 40 CFR 1065.695 we identify data that may be appropriate for collecting during testing of in-use vehicles using portable analyzers.

### APPENDIX I TO PART 1037—HEAVY-DUTY TRANSIENT CHASSIS TEST CYCLE

Time sec.	Speed mph	Speed m/s
1 .....	0.00	0.00
2 .....	0.00	0.00
3 .....	0.00	0.00
4 .....	0.00	0.00
5 .....	0.00	0.00
6 .....	0.00	0.00
7 .....	0.41	0.18
8 .....	1.18	0.53
9 .....	2.26	1.01
10 .....	3.19	1.43
11 .....	3.97	1.77
12 .....	4.66	2.08
13 .....	5.32	2.38
14 .....	5.94	2.66
15 .....	6.48	2.90
16 .....	6.91	3.09
17 .....	7.28	3.25
18 .....	7.64	3.42
19 .....	8.02	3.59
20 .....	8.36	3.74
21 .....	8.60	3.84
22 .....	8.74	3.91
23 .....	8.82	3.94
24 .....	8.82	3.94
25 .....	8.76	3.92
26 .....	8.66	3.87
27 .....	8.58	3.84
28 .....	8.52	3.81
29 .....	8.46	3.78
30 .....	8.38	3.75
31 .....	8.31	3.71
32 .....	8.21	3.67
33 .....	8.11	3.63